

# **EXHIBIT C**

**CLICK [HERE](#) TO VIEW THE JULY 13, 2009 MERCHANT ADVISORY ON THE MASTERCARD AGREEMENT TO PREPAY FUTURE PAYMENTS AT A DISCOUNT**

**CLICK [HERE](#) TO VIEW THE JULY 13, 2009 ORDER TO SHOW CAUSE IN CONNECTION WITH THE MASTERCARD PREPAYMENT AGREEMENT AND THE PROPOSED AMENDMENTS TO THE SECURITIZATION ORDER**

**CLICK [HERE](#) TO VIEW THE MERCHANT ADVISORY ON THE MASTERCARD AGREEMENT TO PREPAY FUTURE PAYMENTS AT A DISCOUNT**

**CLICK [HERE](#) TO VIEW DOCUMENTS REGARDING THE MASTERCARD AGREEMENT TO PREPAY FUTURE PAYMENTS AT A DISCOUNT**

**CLICK [HERE](#) TO VIEW THE JUNE 3, 2009 DECLARATION OF JEFFREY I. SHINDER IN SUPPORT OF LEAD COUNSEL'S APPLICATION FOR FEES AND REIMBURSEMENT OF COSTS AND EXPENSES FOR THE JANUARY-APRIL 2009 PERIOD.**

**CLICK [HERE](#) TO VIEW THE APRIL 29, 2009 COURT ORDER GRANTING LEAD COUNSEL'S MOTION TO SECURITIZE MASTERCARD'S FUTURE PAYMENT OBLIGATIONS**

**CLICK [HERE](#) TO VIEW THE APRIL 1, 2009 DECLARATION OF JEFFREY I. SHINDER IN SUPPORT OF LEAD COUNSEL'S APPLICATION FOR FEES AND REIMBURSEMENT OF COSTS AND EXPENSES FOR THE OCTOBER-DECEMBER 2008 PERIOD.**

**CLICK [HERE](#) TO VIEW THE MARCH 31, 2009 UPDATED MERCHANT ADVISORY ON SECURITIZING THE MASTERCARD SETTLEMENT ACCOUNT FUNDS.**

**CLICK [HERE](#) TO VIEW THE SECURITIZATION DOCUMENTS**

**CLICK [HERE](#) TO VIEW THE MARCH 25, 2009 COURT ORDER ADOPTING THE FEBRUARY 10, 2009 REPORT AND RECOMMENDATION OF THE SPECIAL MASTER REGARDING LEAD COUNSEL'S APPLICATIONS FOR FEES AND REIMBURSEMENT OF COSTS AND EXPENSES FOR THE PERIODS OF APRIL-JUNE 2008 AND JULY-SEPTEMBER 2008.**

**CLICK [HERE](#) TO VIEW THE MARCH 6, 2009 MERCHANT ADVISORY ON SECURITIZING THE MASTERCARD SETTLEMENT ACCOUNT FUNDS.**

[Español](#)

### **MasterCard Agreement To Prepay Future Payments At A Discount**

The documents below are in PDF format. **Acrobat Reader is Required** to view the PDFs. You may already have the Adobe Acrobat Reader on your computer or on disks that came with your computer. If you do, you won't need to download Adobe Acrobat. **If you do not have Acrobat, please click here to download the Free Adobe Acrobat Reader.**

In order to view any of the documents below, please select from the following links:

### **DOCUMENTS REGARDING THE MASTERCARD AGREEMENT TO PREPAY FUTURE PAYMENTS AT A DISCOUNT**

1. [July 2, 2009 Letter to Judge Gleeson](#)
2. [Agreement to Prepay Future Payments at a Discount](#)
3. [\[Proposed Amended\] Order Approving Securitization of MasterCard Settlement Account Payments](#)
4. [July 13, 2009 Order to Show Cause in Connection with the MasterCard Prepayment Agreement and the Proposed Amendments to the Securitization Order](#)
5. [Supplemental Independent Expert Report, dated July 14, 2009](#)

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## FIRM NEWS

Summer, 2009

*Antitrust* publishes article, *What is the Standard of Causation of Monopoly?*, authored by Constantine Cannon associate Ankur Kapoor. To read the article [click here](#).

July 15, 2009

In re Visa Check/Mastermoney Antitrust Litigation:

- Supplemental Independent Expert Report: [click here](#).

July 13, 2009

In re Visa Check/Mastermoney Antitrust Litigation:

- Merchant Advisory on the MasterCard Agreement to Prepay Future Payments at a Discount: [click here](#).
- Notificación a los Comerciantes Sobre el Acuerdo de MasterCard de Pago Anticipado de Cuotas Futuras Con Descuento: [click here](#).
- Order to Show Cause: [click here](#).

July 10, 2009

*New York Law Journal* publishes article, *U.S. Supreme Court Toughens Burdens of Proof Under CERCLA*, authored by Stan Alpert, Of Counsel, Constantine Cannon. To read the article [click here](#).

July 6, 2009

In re Visa Check/Mastermoney Antitrust Litigation:

- Merchant Advisory on the MasterCard Agreement to Prepay Future Payments at a Discount: [click here](#).
- Notificación a los Comerciantes Sobre el Acuerdo de MasterCard de Pago Anticipado de Cuotas Futuras Con Descuento: [click here](#).
- MasterCard Agreement To Prepay Future Payments At A Discount: [click here](#).
- Request For Court Approval Of The Agreement With MasterCard To Prepay Future Payments At A Discount: [click here](#).
- Proposed Amended Securitization Order: [click here](#).

You can also review copies of the papers Lead Counsel filed in making this request at the Visa case website at <http://www.inrevisacheckmastermoneyantitrustlitigation.com>.

June 8, 2009

Constantine Cannon leaps summary judgment hurdle in Section 1 health care suit. Proceeds to trial set for November 30, 2009.

» [click here](#) for more [subscription required].

May 21, 2009

Lloyd Constantine, Counsel of Constantine Cannon and founding Chairman testified at an FTC hearing on *Resale Price Maintenance Under the Sherman Act and the Federal*

## CASE UPDATES

### ***Goss International Corporation v. Tokyo Kikai Seisakusho, Ltd.***

On June 18, 2007, the Eighth Circuit of the United States Court of Appeals overturned a preliminary antisuit injunction enjoining Tokyo Kikai Seisakusho, Ltd. ("TKS") from filing under the Japanese Special Measures Law. Constantine Cannon partner Doug Rosenthal assisted the Japanese government's amicus brief in support of TKS.

In December, 2003, a district court found TKS to be in violation of the Antidumping Act of 1916. This Act was declared in violation of international trade law by the Appellate Body of the WTO. In consequence, the United States Government repealed the 1916 Act, but only prospectively. Thus, notwithstanding the rejection of the applicable U.S. Statute that was the basis for a finding of liability, the repeal did not affect the district court's judgment. Disappointed, the Japanese government enacted the Special Measures Law, a clawback statute authorizing Japanese corporations to sue in Japanese courts for recovery of the full amount of any judgment awarded in any jurisdiction under the 1916 Act. TKS waited to exhaust all appeals for the 2003 judgment until it notified Goss International ("Goss") of its intent to file suit under the Special Measures Law. Goss filed a motion for preliminary antisuit injunction, which was granted by the district court.

In reversing the district court, the Eighth Circuit noted that since the antidumping litigation concluded, the request for injunctive relief was not for the prevention of interdictory jurisdiction by Japanese courts. The court also noted that in cases involving parallel litigation in foreign countries, once one court reaches a final judgment, the role of comity for antisuit injunction purposes essentially is moot because there is no longer tension with the foreign country over concurrent jurisdiction. Goss is likely to pursue further litigation.

### ***Static Control Components, Inc. v. Lexmark International, Inc., Case No. 04-CV-84-KSF, United States District Court for the Eastern District of Kentucky at Lexington***

Constantine Cannon announces that partner Seth Greenstein and associate Mitch Stoltz won a summary judgment for Static Control Components, against claims of copyright infringement filed by Lexmark International.

Lexmark, a computer printer maker, placed a computer chip on its toner cartridges in an effort to block competition from third party cartridge remanufacturers. Our client reverse engineered the chip and made a replacement chip for the remanufacturers. In December 2002, Lexmark sued Static Control for copyright infringement and violation of the